

## Bush pushes war, prepares to override Constitution

by Joseph Brewda

Testimony by Defense Secretary Richard Cheney before the Senate Armed Services Committee on Dec. 3 leaves no doubt that a major objective of the Bush administration's drive for war in the Persian Gulf is to bury the U.S. Constitution. The destruction of the national sovereignty of the U.S. along with that of the nations of the Third World, is what Bush's so-called "New World Order" is all about. Cheney was the first top administration figure to speak before the Congress on the Gulf crisis since the U.S. rammed a resolution through the United Nations Security Council on Nov. 29, which authorized the use of force against Iraq after Jan. 15.

Apparently sensing that Bush hoped to use that "authorization" to evade the sole constitutional authority of the Congress to declare war, Sen. Edward Kennedy (D-Mass.) asked the defense secretary if he would advise the President that he must refrain from attacking Iraq (barring self-defense) unless there is a congressional declaration of war. Cheney, himself a former senator, imperiously replied that the "President is not required to get a declaration of war."

Article I, Section 8, Clause 11 of the U.S. Constitution expressly states that only Congress can declare war.

Kennedy incredulously asked if Cheney believed that "he [the President] and he alone can bring this country to war." Cheney claimed, "Under Title II Section 2 of the Constitution the President has the authority." That provision merely states that the President is commander-in-chief. Cheney also elevated the desires of foreign governments and supranational institutions above that of the Congress. "Acting under a request for defense from the Saudi government, and a request from the legitimate government of Kuwait, and within the terms of the U.N. vote," he asserted, "the President is within

his authority to carry out our national objectives."

Shortly following the U.S. invasion of Panama in December 1989—which was done without congressional consent and without a declaration of war—Cheney had similarly told a Federalist Society gathering that there are no prior restraints upon the President going to war. The President, he claimed, "has the authority to use strategic force at a moment's notice," i.e., up to and including nuclear war. "The limit [to his power to act without consideration of Congress] turns upon the willingness of Congress and the American people to support his actions. They can always express disapproval by refusing to allocate the funds and terminating an operation."

On Dec. 4, Sen. Claiborne Pell (D-R.I.), chairman of the Senate Foreign Relations Committee, opened hearings on the Gulf crisis with a direct attack on Cheney's assertion, and similar remarks by other Bush spokesmen. Pell warned the White House that the U.N. resolution is "an authorization and not a mandate. Prior to employing military forces pursuant to this authorization, the administration has a constitutional obligation to seek and obtain the approval of the United States Congress."

Two days after Cheney's assertions, the House Democratic Caucus passed a non-binding resolution by a vote of 177-37, upholding the constitutional provision that only Congress can declare war.

Meanwhile, arguments began on Dec. 4 in a federal suit that 54 Democratic members of Congress brought against the President on the same issue. The President is represented by Stuart M. Gerson, an assistant attorney general, who claimed that the President could order troops into combat and then

seek a declaration of war.

Secretary of State James Baker provided support for this undermining of the Constitution in an interview on NBC's "Meet the Press" on Dec. 2. Baker said that the reconvening of Congress and a congressional debate on war or peace now would harm the U.S. because "there is an excellent chance that Saddam Hussein will withdraw if he sees the U.S. as a whole determined not to do anything to undercut the U.N. resolution."

## Covert actions

In yet another little-noticed subversion of the Constitution, President Bush vetoed the FY 1991 Intelligence Authorization act on Nov. 31, saying that he could not accept a provision requiring him to notify Congress when other countries or private citizens are to be used to carry out U.S. covert actions. Covert funding by "third countries"—such as Saudi funding for U.S. arms smuggling to Iran, or private funding of U.S. operations such as those run by Lt. Col. Oliver North—had raised controversy, among other reasons, because they violated constitutional prerogatives of the Congress to exercise its "power of the purse."

The administration took the position, after vetoing the bill, that the U.S. intelligence agencies could keep spending money allocated to them, without authorization for that spending, by being reallocated covert actions funds hidden in the Defense Authorization Bill.

Soon after the Bush administration deployed its armada to the Gulf, its representatives fanned the globe extorting funds from several countries for hardware and intelligence operations. Now, it seems, the White House claims it can fund itself independently of Congress and do what it wants.

Of course, Bush's confrontation with the Congress is not solely over constitutional powers. The U.S. Congress may be full of hypocrites, but, as an institution, it has a major saving grace: Actions of members of Congress must reflect the mood of their constituency to some extent or they will not politically survive reelection. It is clear that even the badly informed U.S. electorate is not so stupid as to enthusiastically support an unnecessary war.

In part to allay the public's concerns, Bush announced on Nov. 30—one day after the U.N. vote—that he would dispatch Baker to Baghdad to "run the extra mile for peace" through delivering a personal ultimatum to Saddam Hussein. Previously, the administration had shunned such high-level contact and the possibility that actual negotiations might occur. For such reasons, Henry Kissinger appeared on ABC News's "Nightline" the next day to condemn the initiative as "highly inappropriate."

For his part, Iraqi President Saddam Hussein told French TV on Dec. 3 that the exact purpose of Bush's proposal was unclear. "If this meeting is to be a true path to dialogue, then we are closer to peace. But if this meeting is to be nothing more than a formal exhibition for the American Congress,

the American people, and for international public opinion . . . then we are closer to war," he stated.

## Threat of the 'breakaway ally'

One way Bush might evade Congress in triggering a Gulf war, is through having the supposedly "out of control" Israeli government of Prime Minister Yitzhak Shamir provoke one, for example, by launching a strike into Jordan. The Bush administration, and previous U.S. administrations, have long engaged in a public-relations effort to portray Israel as unyieldingly defiant of U.S. pressure. Israel, various U.S. intelligence disinformation artists claim, even possesses vast and secret powers within the U.S. State Department, the Congress, and the media through its "Zionist lobby."

Actually, the Zionist lobby, which existed long before the Anglo-Americans invented Israel, runs Israel, not vice versa. Israel is run by psychotics—of that there can be no doubt—but its psychotics are well-managed Anglo-American assets.

The advantages of such disinformation is apparent: If Israel triggers a Mideast war, a sanctimonious Bush could claim innocence for the war that he and his allies in Britain secretly and wittingly unleashed, in the same way that they enticed Iraq to invade Kuwait.

Signaling that such a scenario is a near-term possibility, a spokesman for Shamir proclaimed on Dec. 3 that various bloody knifings and shootouts with Palestinians that have occurred over the last weeks are part of a "wave of terrorism linked to the Gulf crisis," and were the product of "Islamic fervor whipped up by Saddam Hussein." That same day, Housing Minister Ariel Sharon—the U.S. puppet who actually dominates the Shamir cabinet—and Deputy Foreign Minister Benjamin Netanyahu, another made-in-Washington politician, publicly threatened that Iraq must not be allowed to retain its Armed Forces intact.

On Dec. 5, the Israeli daily *Ha'aretz* reported that Israeli Foreign Minister David Levy, who has long been groomed by certain CIA circles as a potential prime minister, held a meeting with U.S. Ambassador to Israel William Brown where Levy "threatened" Brown that Israel's "low profile" on the Gulf crisis was "contingent" on an American undertaking to "remove Saddam Hussein," a never-before officially declared war aim. The paper also leaked that Levy had also told a group of visiting European parliamentarians that Israel would not hesitate to act against Saddam Hussein if necessary, because, he said, "if Saddam Hussein emerges victorious from the current confrontation, there will be no end to his aggression."

In an interview with Israeli TV later that day, Levy glowered, "Whoever thinks that if Israel alone has to stand up against this danger, that Israel will continue with a low profile, is making a mistake. In order to defend herself, like in the past, Israel will not call on anyone to fight its war or anyone else's soldiers, but will reply with all its might."